

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EK VENTURES I, LLC; DAVID L.
TAYLOR; DAVID L. TAYLOR AND
VIRGINIA L. TAYLOR as TRUSTEES
FOR THE TAYLOR FAMILY
REVOCABLE TRUST; and
FLEXTRONICS INTERNATIONAL
LTD.,

Plaintiffs,

v.

JAMES R. BARTLETT and Z.B.R.
PUBLICATIONS, INC.,

Defendants.

No: 1:03-CV-12506-WGY

AFFIDAVIT OF MELISSA BAYER TEARNEY

1. I am a partner with the law firm of Nixon Peabody LLP, which represents Z.B.R. Publications, Inc. ("ZBR") in the above-entitled action.

2. As counsel in this matter, I submit, in support of ZBR's motion to dismiss, true copies of the following:

Exhibit 1: February 4, 2000 Stock Purchase and Sale Agreement For the Acquisition Of Bindco Corporation by GlobalWare Solutions, Inc. (the "Agreement").

Exhibit 2: Schedule 1.01 to the Agreement.

Exhibit 3: Exhibit E to the Agreement.

Signed under the pains and penalties of perjury this 26th day of January, 2004.


Melissa Bayer Tearney